

Exhibit A

[Skip to Main Content](#) [Logout](#) [My Account](#) [Search Menu](#) [New Civil Search](#) [Refine Search](#) [Back](#)
Location : All Courts [Help](#)**REGISTER OF ACTIONS**

CASE No. 318-0151-CV

CPT Tommie Shaw vs. Gordon Beck III CEO Diversified Consultants Inc. §

Case Type: **Small Claims**Date Filed: **07/31/2018**Location: **JP 3**§
§
§
§
§**PARTY INFORMATION**

		Lead Attorneys
Defendant	Gordon Beck III CEO Diversified Consultants Inc.	
Plaintiff	Shaw, CPT Tommie	

EVENTS & ORDERS OF THE COURT**OTHER EVENTS AND HEARINGS**

07/31/2018	Original Petition (OCA)	Doc ID# 1		
07/31/2018	Citation Issued	Doc ID# 2		
07/31/2018	Citation			
	Gordon Beck III CEO Diversified Consultants Inc.	Served	08/06/2018	
		Response Due	08/20/2018	
08/01/2018	Citation	Doc ID# 3		
08/10/2018	Return Receipt	Doc ID# 4		
08/21/2018	Notice	Doc ID# 5		
08/27/2018	Answer	Doc ID# 6		

THE STATE OF TEXAS
EL PASO COUNTY
318-0151-CV

CPT Tommie Shaw
PO Box 973433
El Paso, TX 79997

VS.
Gordon Beck III CEO Diversified Consultants Inc.
10550 Deerwood Park Blvd #309
Jacksonville, FL 32256

In The Justice Court

Justice of The Peace, Precinct Three

El Paso County, Texas


SMALL CLAIMS/ DEBT CLAIM CITATION

The State of Texas to Gordon Beck III CEO Diversified Consultants Inc., defendant, in the hereinafter-styled and numbered cause:

You have been sued. You may employ an attorney to help you in defending against this lawsuit. But, you are not required to employ an attorney. You or your attorney must file an answer with the court. Your answer is due by the end of the 14th day after the day you were served with these papers. If the 14th day is a Saturday, Sunday, or legal holiday, your answer is due by the end of the first day following the 14th day that is not a Saturday, Sunday, or legal holiday. Do not ignore these papers. If you do not file an answer by the due date, a default judgment may be taken against you. For further information, consult Part V of the Texas Rules of Civil Procedure, which is available online and also at the court listed on this citation.

This citation is issued pursuant to a petition filed by the above-named plaintiff on 07/31/2018. The plaintiff's attorney's address: (or if no attorney plaintiff's address: PO Box 973433 El Paso, TX 79997). Your answer may be filed with this court, located at Justice of the Peace, Precinct Three.

Signed and issued on this the 31st day of July, 2018.


Clerk of the Court, Araceli Molinar
(915) 546-2170

or

Judge Guadalupe Aponte
Justice of the Peace, Precinct Three
500 E. San Antonio 3rd Floor Suite 308 El Paso Texas
79901
(915) 546-2170

THE STATE OF TEXAS

EL PASO COUNTY

RETURN OF SERVICE

Cause No .318-0151-CV

CPT Tommie Shaw

VS.

In The Justice Court
Justice of the Peace Precinct Three
El Paso County, Texas

Gordon Beck III CEO Diversified Consultants Inc.

Service required on Gordon Beck III CEO Diversified Consultants Inc. located at 10550 Deerwood Park Blvd #309 Jacksonville, FL 32256.

(Select Only One)

- ☐ TRCP Rule 106(b) Texas District or County Court Citation
☐ TRCP Rule 501.2 Texas Justice Court Citation (Small Claims or Other Civil)
☐ TRCP Rule 510 Texas Eviction Citation
☐ Texas or Foreign Process Other Than Noted Above, Describe: _____

Came to hand on (full date & time - enter manually OR time stamp at right-->) _____
 and executed on the _____ day of _____, 20____, at _____ o'clock ____m. by delivering to
 _____ a true copy of the citation / process with plaintiff's petition / complaint / documents
 attached thereto, having noted on such citation / process the date of delivery and the name of the officer delivering the same, as noted below:

- ☐ Defendant / Respondent was located and delivery in person was performed at the following address (Full Physical Address):
 _____ in _____ County, Texas

- ☐ Alternative Service was authorized by the Court in accordance with the Texas Rules of Civil Procedure and was executed as follows: _____

- ☐ If not executed, state reason: _____

Diligence Performed (Service Attempts)

Date / Time	Address & Zip Code	Notes	Name & Id

Mileage: _____ Fee: _____

Constable, Precinct _____

El Paso County, Texas _____

By: _____

Officer Signature

Print Name, ID, & Title

JUSTICE COURT CIVIL CASE INFORMATION SHEET (4/13)

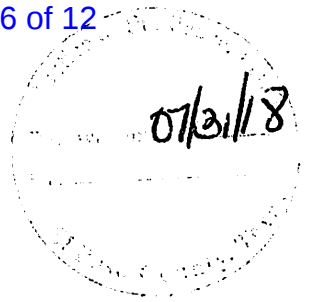
CAUSE NUMBER (FOR CLERK USE ONLY): 318-0151-CV

STYLED

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition is filed to initiate a new suit. The information should be the best available at the time of filing. This sheet, required by Rule of Civil Procedure 502, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

1. Contact information for person completing case information sheet:		2. Names of parties in case:
Name: <u>Tommye Shaw</u>	Telephone: <u>720-839-5280</u>	Plaintiff(s): <u>CPT Tommye Shaw</u>
Address: <u>PO Box 973423</u>	Fax: _____	
City/State/Zip: <u>El Paso, TX 79997</u>	State Bar No: _____	Defendant(s): <u>CEO Gordon Beck III</u> <u>Diversified Consultants Inc.</u>
Email: <u>Tommye.shaw221@gmail.com</u>		
Signature: <u>CPT Tommye Shaw</u>		[Attach additional page as necessary to list all parties]
3. Indicate case type, or identify the most important issue in the case (select only 1):		
<input type="checkbox"/> Debt Claim: A debt claim case is a lawsuit brought to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person or entity primarily engaged in the business of lending money at interest. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.	<input type="checkbox"/> Eviction: An eviction case is a lawsuit brought to recover possession of real property, often by a landlord against a tenant. A claim for rent may be joined with an eviction case if the amount of rent due and unpaid is not more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.	
<input type="checkbox"/> Repair and Remedy: A repair and remedy case is a lawsuit filed by a residential tenant under Chapter 92, Subchapter B of the Texas Property Code to enforce the landlord's duty to repair or remedy a condition materially affecting the physical health or safety of an ordinary tenant. The relief sought can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.	<input checked="" type="checkbox"/> Small Claims: A small claims case is a lawsuit brought for the recovery of money damages, civil penalties, personal property, or other relief allowed by law. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.	



PETITION: SMALL CLAIMS CASE

CASE NO. (court use only) 318-0151-CN In the Justice Court, Precinct 3
El Paso County, Texas

PLAINTIFF CPT Tommie Shaw

VS.

DEFENDANT(S): Gordon Beck III CEO Diversified Consultants Inc.

Defendant(s) contact info: 10550 Deerwood Park Blvd #309 Jacksonville, FL 32256 800-771-531

COMPLAINT: The basis for the claim which entitles the plaintiff to seek relief against the defendant is:

Damage of reputation, inaccurate reporting to credit bureaus, not abiding by SCRA (Service members Civil Relief Act), and causing possible revoke of my security clearance in Armed Forces.

RELIEF: Plaintiff seeks damages in the amount of \$ 10,000 and/or return of personal property as described as follows (be specific): _____, which has a value of \$ _____.

Additionally, plaintiff seeks the following:

Removal from all 3 major credit bureaus inaccurate reporting and letter confirming mistake.

SERVICE OF CITATION: Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other addresses where the defendant(s) may be served are:

10550 Deerwood Park Blvd #309 Jacksonville, FL 32256

☒ If you wish to give your consent for the answer and any other motions or pleadings to be sent to your email address, please check this box, and provide your valid email address: tommie.shaw221@gmail.com.

CPT Tommie Shaw
Petitioner's Printed Name

CPT Tommie Shaw
Signature of Plaintiff or Attorney

DEFENDANT(S) INFORMATION (If known):

DATE OF BIRTH: _____

* LAST 3 NUMBERS OF DRIVER LICENSE: _____

* LAST 3 NUMBERS OF SOCIAL SECURITY: _____

DEFENDANT'S PHONE #: 800-771-5261

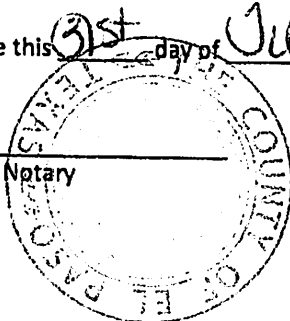
PO Box 973433
Address of Plaintiff's Attorney, if any, or Plaintiff if none

El Paso, TX 79997
City State Zip

720-839-5780
Phone & Fax No. of Plaintiff's Attorney, if any, or Plaintiff if none

Sworn to and subscribed before me this 31st day of June, 2018.

[Signature]
Clerk of the Court or Notary





JUSTICE OF THE PEACE PRECINCT NO. THREE
EL PASO COUNTY, TEXAS

CASE NO. 318-015-CN

For JP3 Office Use Only	
Received on:	<u>07/31/18</u>
By:	<u>CUU</u>

Defendant's Name: Gordon Beck III
Nombre del Demandado

DOB: _____ SS#: _____
Fecha de Nacimiento Número de Seguro Social

AFFIDAVIT
SERVICEMEMBERS CIVIL RELIEF ACT SEC.201 (b)
Declaración Jurada
Sobre el Acto de Protección SEC.201 (b) para miembros del servicio militar

PLAINTIFF BEING DULY SWORN ON HIS OATH DEPOSES AND SAYS THAT DEFENDANT(S)
El demandante bajo juramento declara que los demandado(s)

- ☒ IS NOT IN THE MILITARY
No está en los servicios militares
- ☐ NOT ON ACTIVE DUTY IN THE MILITARY AND/OR
No está en el servicio active en los militares y/o
- ☐ NOT IN A FOREIGN COUNTRY ON MILITARY SERVICE
No está en país extranjero en servicio militar
- ☐ IS ON ACTIVE MILITARY DUTY AND/OR IS SUBJECT TO THE SERVICE MEMBERS RELIEF ACT OF 2003
Esta en deber militar active y/o esta conforme el acto de la relevación de los miembros del servicio de 2003
- ☐ DEFENDANT HAS WAIVED HIS RIGHTS UNDER THE SERVICE MEMBERS RELIEF ACT OF 2003
El demandado ha renunciado sus derechos bajo acto de la relevación de los miembros del servicio de 2003
- ☐ MILITARY STATUS IS UNKNOWN AT THIS TIME: _____
El estado militar es desconocido en este tiempo

CPT [Signature]
PLAINTIFF/Demandante

SUBSCRIBED AND SWORN TO BEFORE ME THIS 31st DAY OF Aug, 2018

[Signature]
CLERK OF THE COURT / NOTARY PUBLIC

Penalty for making or using false affidavit- A person who makes or uses an affidavit knowing to be false, shall be fined \$10,000 as provided in title 18 United States Code, or imprisoned for not more than one year, or both.
La pena para hacer o usar la declaración jurada falsa que una persona hace o que utiliza una declaración jurada que sabe para ser falso, será multada \$10,000 en la manera prevista en el título 19 Estados Unidos cifra, o encarcelado para no más que un año, o ambos.

Military status can be verified through this website: www.dmdc.osd.mil/scra/owa/home
El estado militar se puede verificar con esta página de internet: www.dmdc.osd.mil/scra/owa/home



JUSTICE OF THE PEACE PRECINCT NO. THREE
EL PASO COUNTY, TEXAS

CASE NO. 318-0151-CN

For JP3 Office Use Only	
Received on:	<u>07/03/18</u>
By:	<u>[Signature]</u>

CPT Tammie Shaw
Plaintiff / Demandante

VS.

Gordon Beck III
Defendant / Acusado

You have the right to request a jury trial. Upon your request, you must pay a jury fee of \$22.00. Notice in writing should be made to the Justice of the Peace, Pct. Three Court NO LESS THAN 3 DAYS BEFORE TRIAL DATE. You have the right to have an interpreter if needed. If you should need an interpreter you can provide one on your own. The court can appoint an interpreter for you if need at your own cost. Please contact our office if you should require this service within 5 days before your court date. Please check the box that applies to you. **Warning:** If you request a jury trial and fail to appear at the hearing you may be responsible for the cost of each and every juror impaneled.

YES ☐ NO ☒ - a Jury Trial

YES ☐ NO ☒ - a Court Appointed Interpreter

CPT Tammie Shaw
Plaintiff's Signature

Defendant's Signature

Date

Usted tiene el derecho de pedir un juicio por jurado. La NOTIFICACIÓN DEBERÁ DE ENTREGARSE POR ESCRITO POR LO MENOS 3 DIAS ANTES DE LA FECHA DE CORTE. Al entregar la notificación, deberá pagar \$22.00 dólares para juicio de jurado. Usted tiene el derecho de tener un interprete si es necesario. Si un interprete es necesario, es su responsabilidad que obtenga uno para el día de su corte. La corte puede proveer la persona adecuada y el costo sera su responsabilidad. Por favor de llamarnos 5 días antes de su corte para hacer arreglos. Por favor de poner una X en la línea que la corresponde. Advertencia: Si usted pide un juicio con jurado y no comparece en la audiencia usted puede ser responsable por el costo de cada miembro del jurado.

SI ☐ NO ☐ - un Juicio por Jurado

SI ☐ NO ☐ - un Interprete asignado por el Tribunal

Firma de Demandante

Firma de Acusado

Fecha de Hoy



CHARLES R. PENOT, JR.
DIRECT: (214) 741-3009
cpenot@sessions.legal

August 20, 2018

RULE 11 AGREEMENT

Via Email: tommie.shaw221@gmail.com

CPT Tommie Shaw
P.O. Box 973433
El Paso, TX 79997

**Re: CPT Tommie Shaw v. Gordon Beck III CEO Diversified Consultants, Inc.
Cause No. 318-0151-CV
Justice Court, Precinct No. 3 of El Paso County, Texas**

Captain Shaw,

This is to confirm that you have agreed to extend Defendant, Gordon Beck III CEO Diversified Consultants, Inc., deadline to respond to your Petition to August 27, 2018.

If this is your understanding of the agreement, please sign below and fax or email this signed agreement back to me. If this is not your understanding of the agreement, please contact me to discuss accordingly.

Thank you for your cooperation in this matter. If you have any questions, please feel free to contact me.

Sincerely,

Charles R. Penot, Jr.

AGREED:

CPT Tommie Shaw
Pro Se Plaintiff

Founders Square 900 Jackson Street Suite 440 Dallas, Texas 75202-4473

(214) 741-3001 (214) 741-3055 F www.sessions.legal

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CAUSE NO. 41-DC-18-02403

CPT TOMMIE SHAW,	§	IN THE JUSTICE COURT
	§	
Plaintiff,	§	
	§	
v.	§	PRECINCT 3
	§	
GORDON BECK III CEO	§	
DIVERSIFIED CONSULTANTS, INC.,	§	
	§	EL PASO COUNTY, TEXAS
Defendant.	§	

DEFENDANT DIVERSIFIED CONSULTANTS, INC.’S
ANSWER AND AFFIRMATIVE DEFENSES

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Defendant, Diversified Consultants, Inc. (“DCI”), improperly identified in the petition as “Gordon Beck III CEO Diversified Consultants, Inc.,” in the above-styled and numbered cause, and files this Original Answer and Affirmative Defenses to plaintiff, CPT Tommie Shaw’s (“plaintiff”), Petition on file herein, and for such Answer respectfully shows the Court as follows:

I. GENERAL DENIAL

Pursuant to Rule 502.5 of the Texas Rules of Civil Procedure, DCI generally denies each and every allegation contained in plaintiff’s Petition and demands strict proof thereof by a preponderance of the evidence.

II. DCI’S DEFENSES AND AFFIRMATIVE DEFENSES

Pursuant to the Texas Rules of Civil Procedure, DCI asserts the following affirmative defenses as authorized by the Texas Rules of Civil Procedure:

1. All state or common law claims, if any are properly stated by plaintiff, are pre-empted by the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.* (FCRA).

2. The Servicemembers Civil Relief Act (SCRA) has no application to the actions alleged to have been taken by DCI.

3. To the extent any state law claims are asserted which are not preempted by federal law, which is denied, DCI raises the defense of comparative and contributory negligence and asserts its right under the proportionate responsibility law and under Chapter 33 of the Texas Civil Practice and Remedies Code.

4. To the extent any violations are established, any such violations were not intentional and resulted from bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid any such error.

5. DCI denies any liability; however, regardless of liability, plaintiff has suffered no actual damages as a result of DCI's purported violations.

6. One or more claims asserted by plaintiff are barred by the statute of limitations, laches, estoppel, waiver and/or unclean hands.

7. Any harm suffered by plaintiff was legally and proximately caused by persons or entities other than DCI, or who were beyond the control or supervision of DCI or for whom DCI was and is not responsible or liable.

8. Assuming plaintiff suffered any damages, which is denied, he has failed to mitigate his damages or take other reasonable steps to avoid or reduce his damages.

9. Plaintiff has failed to state a claim against DCI upon which relief may be granted.

III. PRAYER

WHEREFORE, PREMISES CONSIDERED, Gordon Beck III CEO Diversified Consultants, Inc. prays plaintiff takes nothing by her claims, and for all other relief to which Gordon Beck III CEO Diversified Consultants, Inc. may be justly entitled.

Respectfully Submitted,

/s/ Charles R. Penot, Jr.
Charles R. Penot, Jr. (TX Bar # 24062455)
Sessions, Fishman, Nathan & Israel, LLC
900 Jackson Street, Suite 440
Dallas, Texas 75202
Telephone: (214) 741-3009
Facsimile: (214) 741-3055
Email: cpenot@sessions.legal
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on August 27, 2018, a copy of the foregoing *Defendant, Gordon Beck III CEO Diversified Consultants, Inc.'s, Answer and Affirmative Defenses* was electronically filed with the Clerk of the Court, Justice Court, Precinct No. 3 of El Paso County, Texas and was served via Email upon the following:

CPT Tommie Shaw
P.O. Box 973433
El Paso, TX 79997
Telephone: (720) 839-5780
Email: tommie.shaw221@gmail.com

/s/ Charles R. Penot, Jr.
Charles R. Penot, Jr.